




U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
ENTERED
TAWANA C. MARSHALL, CLERK
THE DATE OF ENTRY IS
ON THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.


United States Bankruptcy Judge

Signed July 27, 2009

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IN RE	§	
	§	Case No. 09-31896
GULF COAST TRANSPORT, INC., <i>et</i>	§	(Jointly Administered)
<i>al.</i> ,	§	Chapter 11
	§	
Debtors. ¹	§	

ORDER GRANTING IN PART AND CONTINUING IN PART
THE EXPEDITED MOTION OF THE LOGISTICS COMMITTEE
FOR 2004 EXAMINATION OF DEBTORS

[Re: Docket No. 234]

Upon consideration of the Expedited Motion of the Official Committee of Unsecured Creditors of GC Logistics, Inc. (the "Logistics Committee") for 2004 Examinations of the Debtors (the "2004 Motion"), and upon all of the proceedings and statements of counsel had before the Court and the findings of fact and conclusions of law stated on the record at the hearing, which findings and conclusions are fully incorporated herein by this reference; and after due deliberation and sufficient cause appearing therefore, it is hereby

ORDERED that the 2004 Motion is GRANTED IN PART and CONTINUED IN PART as expressly set forth herein; and it is further

¹ The Debtors are Gulf Coast Transport, Inc., Case No. 09-31896; GC Leasing Services, Inc., Case No. 09-31897; GC Logistics, Inc., Case No. 09-31898; Gulf Acquisitions, Inc., Case No. 09-31899.

ORDERED that the Debtors shall respond to and produce documents in response to Document Requests Nos. 8, 9, 11, 12, 16, 30, 31, and 32 as set forth in the document requests attached to the 2004 Motion as Exhibit A by July 23, 2009; and it is further

ORDERED that the parties shall reasonably cooperate to prevent duplication of production of documents produced by Marquette Transportation Finance, Inc. (“Marquette”) in response to contemporaneous documents requests of the Logistics Committee; and it is further

ORDERED that the Debtors shall mark documents produced by Debtors or Marquette as either “Confidential” and/or “Proprietary” to the extent deemed as confidential and/or proprietary by the Debtors, in good faith, and such marked documents shall not be produced to any creditor or person that has not executed and delivered to Debtors an appropriate confidentiality and nondisclosure agreement (a “CNDA”); and it is further

ORDERED that the Logistics Committee’s counsel shall not distribute any document regarding the Debtors marked as “Confidential” and/or “Proprietary” to any committee member, creditor, or other person that has not executed and delivered to Debtors a CNDA; and it is further

ORDERED that the Debtors’ counsel and the Logistics Committee’s counsel shall negotiate in good faith on the terms of a CNDA to be executed by both parties; provided, however, that if no agreement is reached, either party may file a request for hearing by the Court on same and/or may file an appropriate motion requesting production protocols by the Logistics Committee; provided, further, that the Court retains jurisdiction to hear such issues at the hearing on July 31, 2009 as set forth below; and it is further

ORDERED that the claims bar date for intercompany claims owned by GC Logistics, Inc. is hereby extended to August 15, 2009; and it is further

ORDERED that all remaining relief requested in the 2004 Motion is hereby continued for final hearing on **July 31, 2009 at 9:30 a.m.**; provided, however, that the parties may also submit an agreed order resolving such matters if agreement is reached in advance of such hearing; and it is further

ORDERED that the Court retains jurisdiction over the implementation and interpretation of this Order.

END OF ORDER

AGREED TO AS TO FORM ONLY:

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And

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